

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ASSOCIATION OF NEW JERSEY
RIFLE & PISTOL CLUBS, INC.,

BLAKE ELLMAN, *and*

ALEXANDER DEMBOWSKI,
Plaintiffs,

v.

GURBIR GREWAL, in his official
capacity as Attorney General of New
Jersey,

PATRICK J. CALLAHAN, in his
official capacity as Superintendent of
the New Jersey Division of State
Police,

THOMAS WILLIVER, in his official
capacity as Chief of Police of the
Chester Police Department, *and*

JAMES B. O'CONNOR, in his official
capacity as Chief of Police of the
Lyndhurst Police Department,

Defendants.

HON. PETER G. SHERIDAN,
U.S.D.J.

HON. LOIS H. GOODMAN,
U.S.M.J.

CIVIL ACTION NO. 18-cv-10507

CIVIL ACTION

(ELECTRONICALLY FILED)

**DECLARATION OF BLAKE ELLMAN IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY INJUNCTION**

1. I, Blake Ellman, am a plaintiff in the above-titled action. I am over the age of 18, have personal knowledge of the facts and events referred to in this Declaration, and am competent to testify to the matters stated below.

2. I am a resident and citizen of the United States and the State of New Jersey.

3. I am a law-abiding citizen. I have never been charged with or found guilty of any crime, including any crime relating to the use of firearms or ammunition magazines. Nor have I been found by any government official or body to have misused or been irresponsible with a firearm or ammunition magazine.

4. I am a firearms instructor, range safety officer, armorer, and competitive shooter.

5. I am a member of Association of New Jersey Rifle & Pistol Clubs, Inc.

6. I currently lawfully own and keep in New Jersey ammunition magazines that qualify as “large capacity ammunition magazines” under Act A2761 because they are capable of holding more than 10 but fewer than 16 rounds of ammunition. The exception for attached tubular devices capable of holding only .22 caliber rimfire ammunition does not apply to the magazines that I own. Nor does any other exception to Act A2761’s definition of “large capacity ammunition magazines” apply to the magazines that I own.

7. I own these magazines for lawful purposes, including self-defense in the home.

8. But for Act A2761’s magazine ban, I would continue to own and keep these magazines in my New Jersey home. Instead, under Act A2761, I will be forced

to transfer, render inoperable or permanently modify, or surrender to the police all of my “large capacity ammunition magazines” by December 10, 2018.

9. If it were lawful, I would also acquire additional magazines capable of holding more than 10 but fewer than 16 rounds of ammunition. Because of Act A2761’s magazine ban and the associated criminal penalties, I refrain from doing so.

10. I am neither a current nor a retired federal or state law enforcement officer. Nor do I fit into any other exception to Act A2761’s ban on the possession of magazines capable of holding more than 10 rounds.

11. I fear that, if I can no longer lawfully possess magazines holding more than 10 rounds of ammunition, I will be less capable of warding off multiple assailants, assailants carrying multiple firearms or magazines, or assailants carrying magazines capable of holding more than 10 rounds. I am concerned that my safety will be put at risk under Act A2761.

I declare under penalty of perjury that the foregoing is true and correct.

Executed within the United States.

A handwritten signature in black ink, appearing to read 'Blake Ellman', is written over a horizontal line.

Blake Ellman

06-20-2018

Date